

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO (TOLEDO)

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:18-cr-00067

v.

DAREK LATHAN,

HON. GEORGE CARAM STEEH
SITTING BY DESIGNATION

Defendant.

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**ORDER DENYING DEFENDANT'S REQUEST
FOR APPOINTMENT OF STANDBY COUNSEL (DOC. 272)**

This matter is before the court on defendant Darek Lathan's filing of a notice requesting the appointment of standby counsel. The court interpreted defendant's previous filings as an indication of his desire to represent himself at sentencing. See, doc. 270. In his most recent filing, however, defendant states that he "respectfully requests the assistance of stand-by counsel" to engage in ten enumerated tasks. Most of the items for which defendant seeks assistance of counsel involve obtaining paperwork related to the charges brought against him in the Indictment, objecting to the government's authority to charge him, and objecting to the way he was charged.

None of the reasons given by defendant for the appointment of standby counsel relate to providing him assistance at sentencing. The only

task listed by defendant that is arguably related to sentencing is for standby counsel to “obtain any objections by the government pertaining to defendant [sic] acceptance of time served, no probation or parole.” (Doc. 272, task 6). Defendant appears to be referring to the negotiation of a plea agreement. However, the time for a plea negotiation is long past now that defendant has been convicted by a jury.

Defendant has not identified any responsibilities for standby counsel that are permissible at sentencing. Rather, he continues to raise issues that are perhaps properly raised on appeal, if at all, after his sentence is imposed. Because the tasks defendant seeks to delegate to standby counsel relate to claims that are not cognizable at this stage, the court denies his request and will proceed with sentencing.

So ordered.

Dated: November 12, 2021

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE